



# Nuckolls County Board Minutes



## JANUARY 3, 2013 PROCEEDINGS OF THE NUCKOLLS COUNTY BOARD OF COMMISSIONERS

The Nuckolls County Board of Commissioners met January 3, 2013 in the Board Meeting Room at the Courthouse, Nelson, Nebraska, per recess of December 17, 2012. Combs, Corman & Brown present for the meeting. The agenda of said meeting was remitted to board members in advance of the meeting and was posted in the County Clerk's office and on the County Website. Brown announced the 'Open Meetings Act Law' as posted in the Commissioners Board Meeting Room and handouts are available.

The board reconvened at 8:59 a.m. Chairman Combs approved the agenda and the December 17, 2012 minutes. The reason for the meeting in the Nuckolls County Board of Commissioners Meeting Room is to conduct the Reorganization Meeting for 2013 and to have Danny Keith Corman take the Oath of Office. The Board recessed to the Courtroom to view the Oath being taken by Danny Keith Corman and given by Clerk Magistrate, Diane Wehrman at 9:00 a.m. The Board reconvened in the Commissioners Meeting Room to conduct the Reorganization Meeting at 9:30 a.m. .

Clerk Kassebaum submitted to the Board a 6 month Expenditure Report for the period ending December 31, 2012. Treasurer Ensign met briefly with the Board to decide plans for the re-scheduled Employee Christmas Party. It was re-scheduled for January 23, 2013 at the Nelson Old Bank Coffee Shop.

**First order of Business was to appoint a 2013 Chairman for County Board of Commissioners. Nominations were for Corman, who declined. Corman then made the motion to appoint Michael D. Combs as the Chairman of the County Board of Commissioners for the calendar year 2013, it was seconded by Brown. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Brown and seconded by Combs to approve Resolution #1-13R Appointing Arnold Brown as Acting Chairman in the absence of Chairman Combs. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

### #1-12 R

#### **RESOLUTION APPOINTING ACTING CHAIRMAN OF THE BOARD OF COMMISSIONERS**

**WHEREAS, Michael D. Combs**, duly elected Chairman of the Board of County Commissioners of Nuckolls County, Nebraska, may be absent from time to time and unable to perform the duties of Chairman of the County Board, and,

**WHEREAS, Arnold Brown**, is a duly elected and qualified member of the County Board, Nuckolls County, Nebraska, and is able and willing to perform the duties of the Chairman of the County Board and is found to be a suitable person to act as Chairman of the Board of County Commissioners in the absence of the Chairman, **NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Nuckolls County, Nebraska that **Arnold Brown** be, and hereby is, elected and appointed Acting Chairman of the Board of County Commissioners Nuckolls County, Nebraska, for the purpose of enabling said **Arnold Brown** to act as Chairman whenever **Michael D. Combs** is absent or disabled or for any other reason is unable to perform the duties of Chairman during the year 2013.

**AND BE IT FURTHER RESOLVED THAT** his acts and doings as such acting Chairman shall have full force and effect as though done by the regularly elected Chairman of the Board of Commissioners; that he is specifically empowered to sign all warrants or other legal instruments written from and including January 3, 2013, and the said appointment be also made for the purpose of enabling **Arnold Brown** to act as Chairman whenever **Michael D. Combs** is absent or disabled or for any reason is unable to perform the duties of



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Chairman; that the word Acting need not be inserted on the warrants or other legal instruments in front of the phrase "Chairman County Commissioners" in order for the warrants or other legal instruments to have full force and effect.

Passed and approved this 3<sup>rd</sup> day of January, 2013.

ATTEST: (SEAL) Michael D. Combs (Sig)  
Arnold Brown (Sig)  
Danny K. Corman (Sig)

Jackie L Kassebaum (Sig)  
County Clerk

**A motion was made by Corman and seconded by Brown to approve Resolution #2-13R Authorizing Vicki K. Ensign, County Treasurer to make Deposits Secured by Pledged Assets. Combs, Brown, and Corman all voted Aye, 0 voted Nay. Motion carried.**

## **#2-12 R**

### **RESOLUTION AUTHORIZING DEPOSITS SECURED BY PLEDGED ASSETS**

**WHEREAS**, Vicki K. Ensign, County Treasurer of Nuckolls County, Nebraska, desires to deposit county funds, collected by her in her official capacity, in banks in Nuckolls County, Nebraska, in excess of the amounts authorized in Statute 77-2318, Neb. Rev. Stat. as amended; and,

**WHEREAS**, it is the desire of the County Board of the County of Nuckolls, a political subdivision of the State of Nebraska, to consent to the deposit of said excess funds in a bank or banks in said County when the depository bank or banks as the case may be, secures the deposits by pledge of the assets of the bank or banks in the manner provided by Statute 77-2318.01, Neb. Rev. Stat., as amended;

**NOW THEREFORE, BE IT RESOLVED** by the County Board of the County of Nuckolls, a political subdivision of the State of Nebraska, that Vicki K. Ensign, County Treasurer of Nuckolls County, Nebraska, be, and she hereby is, authorized to deposit county funds in banks in said County in excess of the limitation on amount of deposit in any one bank or banks as provided by Statute 77-2318, Neb. Rev. Stat., as amended, in the manner proved by Statute 77-2318.01 Neb. Rev. Stat., as amended, upon first causing said deposits to be secured in the manner provided by Statute 77-2326.04 to 77-2326.09 Neb. Rev. Stat., as amended.

Passed and approved this 3<sup>rd</sup> day of January, 2013.

ATTEST: (SEAL) Michael D. Combs (Sig)  
Arnold Brown (Sig)  
Danny K. Corman (Sig)

Jackie L Kassebaum (Sig)  
County Clerk

**A motion was made by Brown and seconded by Combs to approve Resolution #3-13R Designating Depository Banks and Authorizing County Treasurer to Invest County Funds. Combs, Brown, and Corman all voted Aye, 0 voted Nay. Motion carried.**

## **#3-13 R**

### **RESOLUTION DESIGNATING DEPOSITORY BANKS AND AUTHORIZING COUNTY TREASURER TO INVEST COUNTY FUNDS**

**WHEREAS**, the following banks have been depositories for funds of the County of Nuckolls for the year 2012, and have made application to remain and continue as depositories for county funds for the year 2013, and have



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pledged securities in the amounts hereinafter indicated to guarantee the repayment of County Funds deposited in said banks; and,

**WHEREAS**, the said banks are considered by the Board of County Commissioners to be qualified depositories for the funds of the County;

**WHEREAS**, the County Treasurer should be authorized to make deposits and investments of county funds pursuant to Sections 77-2315, 77-2340 and 77-2341 Neb. Rev. Stat., as amended,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Nuckolls County, Nebraska, that each of the following named banks is hereby designated a depository for funds of Nuckolls County, for the year 2012, to amounts not exceeding the amounts of deposits authorized under the provisions of the law for deposit of County Funds, and up to the following limits.

DEPOSITORY	PLEDGED SECURITIES	FDIC	AUTHORIZED DEPOSITS
Commercial Bank Nelson, Nebraska	\$500,000.00	\$250,000.00	\$750,000.00
Farmers & Merchants Bank Superior, Nebraska	\$250,000.00	\$250,000.00	\$500,000.00
Central National Bank Superior, Nebraska	\$200,000.00	\$250,000.00	\$450,000.00
Commercial Bank (County Clerk) Nelson, Nebraska	\$200,000.00	\$250,000.00	\$450,000.00

**AND BE IT FURTHER RESOLVED** that all the securities pledged by said banks are hereby approved or re-approved for the year 2012; and that the limits of deposits hereinabove set out shall determine the amount the County Treasurer shall be authorized to deposit in any of the said banks, except upon proper pledge of further securities and approval thereof by the Board of County Commissioners.

**AND BE IT FINALLY RESOLVED** that the County Treasurer be, and she hereby is, authorized to deposit and invest county funds pursuant to Sections 77-2315, 77-2340 and 77-2341, Neb. Rev. Stat., as amended.

Passed and approved this 3<sup>rd</sup> day of January, 2013.

Michael D. Combs (Sig)

Arnold Brown (Sig)

Danny K. Corman (Sig)

ATTEST: (SEAL)

Jackie L Kassebaum (Sig)

County Clerk

**A motion was made by Brown and seconded by Combs to approve Resolution #4-13R Appointing Dr. T.D. Blecha as the County Physician. Combs, Brown, and Corman all voted Aye, 0 voted Nay. Motion carried.**

## #4-13 R

### RESOLUTION APPOINTING COUNTY PHYSICIAN

**WHEREAS**, the Nuckolls County Board of Commissioners is authorized to employ a physician to furnish such medical service as may be required for the poor of Nuckolls County; and,

**WHEREAS**, T.D. Blecha is a qualified and licensed physician in Nuckolls County; now, therefore,

**BE IT RESOLVED** be, and hereby is, appointed County Physician for Nuckolls County, Nebraska for the year 2013.

Passed and approved on this 3<sup>rd</sup> day of January, 2013.

Michael D. Combs (Sig)



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ATTEST: (SEAL)

Arnold Brown (Sig)  
Danny K. Corman (Sig)

Jackie L Kassebaum (Sig)  
County Clerk

**A motion was made by Combs and seconded by Corman to approve Resolution #5-13R Designating the Superior Express the Official County Newspaper. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

## #5-13 R

### RESOLUTION DESIGNATING OFFICIAL COUNTY NEWSPAPER

**BE IT RESOLVED** by the Nuckolls County Board of Commissioners that The Superior Express, a legal weekly newspaper printed and published at Superior, Nebraska, in said County of Nuckolls, and of general circulation in said County, shall be the official county newspaper for the year 2013, except for printing of ballots for any county election which is held in the County.

Passed and approved this 3<sup>rd</sup> day of January, 2013.

Michael D. Combs (Sig)  
Arnold Brown (Sig)  
Danny K. Corman (Sig)

ATTEST: (SEAL)

Jackie L. Kassebaum (sig)  
County Clerk

**A motion was made by Brown and seconded by Corman to approve Resolution #6-13R Designating 'The Nuckolls County Locomotive Gazette' as the Official County Newspaper for Publication of Delinquent Tax List for 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

## #6-13 R

### RESOLUTION DESIGNATING OFFICIAL COUNTY NEWSPAPER FOR PUBLICATION OF DELINQUENT TAX LIST

**BE IT RESOLVED** by the Nuckolls County Board of Commissioners that The Nuckolls County Locomotive Gazette, a legal weekly newspaper printed and published at Nelson, Nebraska, in said County of Nuckolls, and of general circulation in said County, shall be the official County Newspaper for the year 2013 for the purpose of publishing the delinquent tax list as designated in Section 77-1804 Neb. Rev. Stat.

Passed and approved this 3<sup>rd</sup> day of January, 2013.

Michael D. Combs (sig)  
Arnold Brown (sig)  
Danny K. Corman (sig)

ATTEST: (SEAL)

Jackie L. Kassebaum (sig)  
County Clerk

**A motion was made by Brown and seconded by Corman to approve Resolution #7-13R Fixing the Rates for Use of County Machinery. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

## #7-13 R

### RESOLUTION FIXING RATES FOR USE OF COUNTY MACHINERY





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BE IT RESOLVED by the Board of County Commissioners of Nuckolls County, Nebraska, Nebraska, that the following rates be established and be charged for the use of County machinery and equipment for the year 2013, to wit:

## **MACHINE & MACHINE OPERATOR**

## **RATE PER HOUR**

Excavator	\$175.00 per hour with man
Motorgrader	\$140.00 per hour with man
Bulldozer	\$150.00 per hour with man
Wheel Front End Loader	\$130.00 per hour with man
Elevating Dirt Scraper	\$150.00 per hour with man
Air Compressor, \$250.00 deposit	\$ 50.00 per hour
Roller or Sheep's Foot	\$ 30.00 per day
Sweeper	\$ 60.00 per day
10 Yard Dump Truck	\$ 90.00 per hour with 1 hr minimum
Truck & Pup	\$158.00 per hour with 1 hr minimum
Truck w/Lowboy	\$158.00 per hour with 1 hr minimum (\$50.00 tie down fee per load)
Truck w/flat bed	\$158.00 per hour with 1 hr minimum (\$50.00 tie down fee per load)
Sign Truck and Tools	\$ 80.00 per hour with 1 hr minimum
Skidsteer with Backhoe	\$175.00 per hour & \$150.00 haul fee
Boomtruck	\$ 65.00 per hour

**NOTE:** The Excavator, Bulldozer & Track Loader will have a minimum charge of \$200.00 assessed to the bill for hauling machine to location.

Passed and approved this 3<sup>rd</sup> day of January, 2013.

ATTEST: (SEAL)

Jackie L Kassebaum (sig)  
County Clerk

Michael D. Combs (sig)  
Arnold Brown (sig)  
Danny K. Corman (sig)

**A motion was made by Brown and seconded by Combs to re-appoint the Board Members to their current Board appointments as follows: Michael D. Combs to the Region III Behavioral Health Governing Board, the South Heartland District Health Department Board and the South Central Area Rallies to Eliminate Drugs Board. Arnold Brown to the Mid Nebraska Individual Services Board; the 911 Emergency Services Board; the Central Community College Advisory Board and the South Central Economic Development District. Danny K. Corman on the Midland Area Agency on Aging Board and Dick Schwigert will serve as the alternate in the absence of Danny K. Corman; The Chairman of the Board of Equalization and Arnold Brown will serve as Alternate Chairman of the Board of Equalization in the absence of Danny K. Corman. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Corman and seconded by Brown to re-appoint Gary L. Warren as the Nuckolls County Highway Superintendent for the calendar year 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Brown and seconded by Combs to Re-appoint Timothy Stutzman as the Nuckolls County Emergency Manager for 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**



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**A motion was made by Brown and seconded by Corman to re-appoint Jackie L. Kassebaum as the Nuckolls County School Superintendent; the Nirma Contact Person and the Human Resource Officer (Hippa) and the Title VI Contact Person for 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Combs and seconded by Brown to re-appoint Richard Kohmetscher, LaVeta Blecha and T.D. Blecha for a 4 year term on the Nuckolls County Visitor's Committee. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Combs and seconded by Corman to appoint Janice Tordrup and Jim Butler to as 4 Year Term for the County representatives on the Airport Zoning Board. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Brown and seconded by Corman to appoint Tim Schmidt, Jim Bolte, and Jean Stichka as the Nuckolls County Medical Insurance Committee for 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.** A 4<sup>th</sup> position did not get re-appointed and therefore creates a vacancy on the Insurance Committee. The issue will be on the agenda for Monday, January 7, 2013 for filling that position.

**A motion was made by Combs and seconded by Corman to appoint Donald Williams, Royce Gonzales and Mike Mousel all for a 2 year term to begin January 2013 to December 2014 to the Nuckolls County Safety Committee. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Corman and seconded by Brown to appoint Danny K. Corman as the Nuckolls County Representative and Ken Himmelberg as the alternate for the Trailblazer RC&D Council for 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Corman and seconded by Brown to adopt the Meeting Dates for the Nuckolls County Board of Commissioners for the Calendar Year 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Combs and seconded by Corman to appoint the Nuckolls County Board of Commissioners as the Nuckolls County Weed Authority for 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Brown and seconded by Combs to designate the Nuckolls County Website as an official way of providing notification to the public. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

**A motion was made by Brown and seconded by Combs to approve a Resolution to adopt the Nuckolls County Flag. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

Jim Marr, Sheriff; Vicki Ensign & Royce Gonzales, Budget Making Authority met with the Board to discuss how the Inmate Medical Claims were to get paid. The total cost of claims at this point is an accumulative amount of \$57,709.28. After some discussion the Board determined to take the expense out of the County Jail budget and then reimburse the amounts as needed from the County General Miscellaneous Fund. The Inmate Medical Insurance has a specific deductible of \$25,000.00 which the County would be responsible to pay and then the amount over the specific deductible will be paid by the Insurance Company.



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The renewal costs of the Nuckolls County Vision Plan will stay the same however the Renewal Plan Design will be adding or changing 3 options. It will increase the frame/contact allowance from \$120.00 to \$130.00; it will add a simple eye lasik for both eyes to \$350.00 for benefit year 1, \$350.00 for benefit year 2 and \$700.00 for benefit year 3; and increase the dependent age to 26. **A motion was made by Brown and seconded by Corman to authorize Chairman Combs to sign the Renewal Vision Plan Design for 2013. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

A budget hearing to amend the '2012-2013 County Budget' was held at 11:00 a.m. to hear public comments. No public attended to make comments. The hearing was to amend the '2012-2013 County Budget' allowing a transfer from Inheritance Tax Fund to the Civil Defense Fund in the amount of \$3,000.00 to pay the expenses in helping the Lawrence Rural Fire District in paying to have the radios and pagers updated to narrowbanding. **A motion was made by Brown and seconded by Corman to approve the Resolution Amending 2012-2013 County Budget. Combs, Brown and Corman all voted Aye, 0 voted Nay. Motion carried.**

There being no further business the meeting was recessed at 11:34 a.m. until January 7, 2013.

Michael D. Combs, Chairman  
By: Jackie L. Kassebaum, County Clerk